### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 18th day of May, 2005.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ronni S. Sterns, et al.

Title:

PHONETIC TRANSLITERATION CARD DISPLAY

Serial No.:

09/663,329

Filed:

September 18, 2000

Examiner:

Kurt Fernstrom

Art Unit:

3712

Docket No.:

CRT/11842

#### PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.8(b), applicants hereby petition for the Office to withdraw the holding of abandonment mailed May 12, 2005. The reasons that support the granting of this petition are set forth below.

#### STATEMENT IN SUPPORT OF PETITION

The Office Action that was mailed September 10, 2004 set a three-month period in which to respond. Applicants prepared a response to the Office Action that would

have placed the case in condition for allowance and mailed same to the Office on December 10, 2004. A copy of the response in question is attached hereto as Exhibit A.

The response was mailed within the period for response established by the Office Action mailed September 10, 2004. The response included a certificate of mailing that complied in all respects with the requirements of 37 C.F.R. § 1.8(a).

The response was filed with a postcard receipt, a copy of the front and back of which is attached hereto as Exhibit B. It is our firm's practice to include postcard receipts with all correspondence mailed to the Office. Postage is applied to a postcard receipt at the time postage is applied to the envelope in which the paper and its postcard receipt are placed. As can be seen from Exhibit B, postage was applied to the postcard receipt on December 10, 2004.

It is the practice of our firm to place a copy of the postcard receipt in the application file at the time the postcard receipt and its associated paper are mailed to the Office. The copy of the postcard receipt retained in the file serves as a mailing log to establish what was mailed to the Office, as well as the date of mailing. A copy of the pertinent postcard receipt from the file in question is attached hereto as Exhibit C. A review of Exhibit C confirms that a Response to Office Action (dated 09/10/04) was mailed to the Office on December 10, 2004.

A review of Exhibit B indicates that the response was received by the Office on December 14, 2004. This date of receipt would be consistent with a date of mailing of December 10, 2004. Although the response was received by the Office after the period set for response, it should have been considered as timely filed because it (a) was

mailed prior to the expiration of the period set for response, and (b) included a certificate of mailing that complied with the requirements of 37 C.F.R. 1.8(a).

### CONCLUSION

Applicants timely filed a response to the Office Action mailed September 10, 2004 and did so in compliance with the requirements of 37 C.F.R. § 1.8(a). The enclosed Exhibits A, B, and C confirm that a timely response was made and that the requirements of 37 C.F.R. § 1.8(a) were met. The Office should withdraw the holding of abandonment and return the application file to the examiner for further action on the merits.

Respectfully submitted,

Rankin, Hill, Porter & Clark LLP 700 Huntington Building 925 Euclid Avenue Cleveland, Ohio 44115-1405 Telephone: (216) 566-9700

Facsimile: (216) 566-9711

May 18, 2005

# **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being sent to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by first class mail on the 10<sup>th</sup> day of December, 2004.

Linda McClroy

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ronni S. Sterns, et al.

Title:

PHONETIC TRANSLITERATION CARD DISPLAY

Serial No.:

09/663,329-

Filed:

September 18, 2000

Examiner:

Kurt Fernstrom

Group No.:

3712

Docket No.:

CRT/11842

## **RESPONSE TO OFFICE ACTION**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed September 10, 2004, please amend the application as follows:

IN THE CLAIMS:

Cancel claims 1-4, 6-8, 10, 13-16, 18 and 19 without prejudice or disclaimer.

EXHIBIT

A

### **REMARKS**

By this response, applicant has cancelled claims 1-4, 6-8, 10, 13-16, 18 and 19. Claim 20 is the only claim remaining in the application. Since the examiner has indicated that claim 20 has been allowed, the application now is in condition for allowance.

Respectfully submitted,

Wayne D. Porter, Jr Reg. No. 26,977

Rankin, Hill, Porter & Clark LLP 750 Huntington Building 925 Euclid Avenue Cleveland, Ohio 44115-1405 Telephone: (216) 566-9700

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December 10, 2004



PTO Acknowledgment Postcard

Application Type Practitioner Docket No.

CRT-11842 Application No.

09/663329

Filed Application

Date Customer No. **Date Filed** 

Date Issued

December 10, 2004

7609 9/18/2000

Examiner Mail Service

Patent No.

Kurt Fernstrom First Class Mail

Group No. Express Mail Label No.

Inventor(s)

Ronni S. Sterns

Invention Title

Phonetic Transliteration Card Display

**Documents Submitted** 

pages

Response to Office Action (dated 09/10/04)

3712

pages

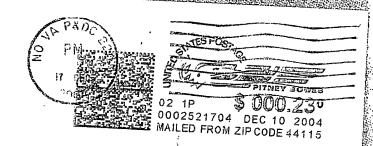
Payment Type Deposit Account Charge Account 180160 the papers submitted herewith

Number Fee for any fee deficiency required by the filing of

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CLEVELAND, OHIO 44115 700 HUNTINGTON BUILDING 925 EUCLID AVENUE RANKIN, HILL, PORTER & CLARK LLP

**EXHIBIT** 

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PTO Acknowledgment Postcard

Application Type
Practitioner Docket No.
Application No.
Patent No.

Filed Application CRT-11842 09/663529

Date
Customer No.
Date Filed
Date Issued

December 10, 2004 7609

9/18/2000

Examiner Mail Service Kurt Fernstrom First Class Mail

Group No. Express Mail Label No.

3712

Inventor(s)

Ronni S. Sterns

Invention Title

Phonetic Transliteration Card Display

**Documents Submitted** 

pages

pages

Response to Office Action

(dated 09/10/04)

2

Payment Type Deposit Account Charge Account 180160 the papers submitted herewith

Number

Fee

for any fee deficiency required by the filing of

Contact Person Wayne D. Porter, Jr.

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EXHIBIT

C